

Amend 2 Cal. Code Regs. Section 18704.2 as follows:

**18704.2. Determining Whether Directly or Indirectly Involved in a Governmental Decision: Interest in Real Property.**

(a) Real property in which a public official has an economic interest; is directly involved in a governmental decision if [Decision 1] any of the following apply: that real property is the subject of the governmental decision, or if any part of that real property is located within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision. Real property is the "subject of the governmental decision" if:

(1) [Decision 1] The real property in which the official has an interest, or any part of that real property, is located within 500 feet of the boundaries (or the proposed boundaries) of the property which is the subject of the governmental decision. For purposes of subdivision (a)(5), real property is located "within 500 feet of the boundaries (or proposed boundaries) of the real property which is the subject of the governmental decision" if any part of the real property is within 500 feet of the boundaries (or proposed boundaries) of the redevelopment project area.

(2) The governmental decision involves the zoning or rezoning, annexation or deannexation, sale, purchase, or lease, or inclusion in or exclusion from any city, county, district or other local governmental subdivision, of the real property, property in which the official has an interest or a similar decision affecting [Decision 2] such the real property. For purposes of this subdivision, the terms "zoning" and "rezoning" shall refer to the act of establishing or changing the zoning or land use designation on the real property in which the official has an interest.

1       ~~(2)~~(3) The governmental decision involves the issuance, denial or revocation of a license,  
2 permit or other land use entitlement authorizing a specific use or uses of ~~such the~~ real property in  
3 which the official has an interest;

4       ~~(3)~~(4) The governmental decision involves the imposition, repeal or modification of any  
5 taxes or fees assessed or imposed on ~~such the~~ real property in which the official has an interest;

6       ~~or~~

7       ~~(4)~~(5) The governmental decision is to designate the survey area, to select the project  
8 area, to adopt the preliminary plan, to form a project area committee, to certify the environmental  
9 document, to adopt the redevelopment plan, to add territory to the redevelopment area, or to  
10 rescind or amend any of the above decisions; and real property in which the official has an  
11 interest, or any part of it is located within the boundaries (or the proposed boundaries) of the  
12 redevelopment area. ~~For purposes of this subdivision, real property is located "within 500 feet of~~  
13 ~~the boundaries (or proposed boundaries) of the real property which is the subject of the~~  
14 ~~governmental decision" if any part of the real property is within 500 feet of the boundaries (or~~  
15 ~~proposed boundaries) of the redevelopment project area.~~

16       ~~(5)~~(6) The decision involves construction of, or improvements to, streets, water, sewer,  
17 storm drainage or similar facilities, and the real property in which the official has an interest will  
18 receive new or improved services. ~~As used in this subdivision, "new or improved services" do~~  
19 ~~not include repairs, replacement, or maintenance of existing services.~~

20       **[Decision 3]** (b) Notwithstanding subdivision (a) above, real property in which a public  
21 official has an interest is not directly involved in a governmental decision, but is indirectly  
22 involved if:

1       ~~(6)(1) For purposes of this subdivision, the terms "zoning" and "rezoning" shall refer to~~  
2       ~~the act of establishing or changing the zoning or land use designation on the subject real~~  
3       ~~property. The terms "zoning" and "rezoning" shall not refer to an~~ The decision solely concerns  
4       the amendment of an existing zoning ordinance or other land use regulation (such as changes in  
5       the uses permitted, or development standards applicable, within a particular zoning category)  
6       which is applicable to all other properties designated in that category, which shall be analyzed  
7       under Title 2, California Code of Regulations, section 18705.2(b).

8       (2) The decision solely concerns repairs, replacement, or maintenance of existing streets,  
9       water, sewer, storm drainage or similar facilities.

10       ~~(b)~~ (c) Determining the applicable materiality standard.

11       (1) If the real property in which the public official has an economic interest is directly  
12       involved in a governmental decision, apply the materiality standards in Title 2, California Code  
13       of Regulations, ~~Title 2~~, section 18705.2(a).

14       (2) If a real property interest is not directly involved in a governmental decision, apply  
15       the materiality standards in Title 2, California Code of Regulations, ~~Title 2~~, section 18705.2(b).

16       NOTE: Authority cited: Section 83112, Government Code.

17       Reference: Sections 87100, 87102.5, 87102.6, 87102.8 and 87103, Government Code.

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